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PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent No. 6,774,439 ) Serial No. 09/783,023  
Inventor(s): Yoshiaki FUKUZUMI *et al* ) Filed: February 15, 2001  
Issue Date: August 10, 2004 ) Attorney Docket No. 001701.00059

For: SEMICONDUCTOR DEVICE USING FUSE/ANTI-FUSE SYSTEM AND METHOD OF MANUFACTURING THE SAME

**REQUEST FOR CERTIFICATE OF CORRECTION**

U.S. Patent and Trademark Office  
Customer Service Window  
Randolph Building, Mail Stop: Certificate of Correction Branch  
401 Dulany Street  
Alexandria, VA 22314

**Certificate  
MAY 10 2006  
of Correction**

Sir:

In response to the Denied Request for Certificate of Correction in reference to correcting the Patent Term Adjustment, Applicants request for the issuance of a Certificate of Correction in the above-identified application correcting the Title of Invention. Two (2) copies of PTO Form 1050 are appended. The complete Certificate of Correction involves one page.

The mistake identified in the appended Form occurred through no fault of the Applicants, as clearly disclosed by the records of the application, which matured into this patent. Enclosed for your convenience is a copy of the Notice of Allowance/Issue Fee Due mailed March 22, 2004.

Issuance of the Certificate of Correction containing the correction is respectfully requested. Since this change is necessitated through no fault of the Applicants, no fee is believed to be associated with this request. Nonetheless, should the Patent and Trademark Office determine that a fee is required, please charge our Deposit Account No. 19-0733.

Respectfully submitted,

BANNER & WITCOFF, LTD.

By: Gary D. Fedorochko  
Gary D. Fedorochko  
Registration No. 35,509

Dated: May 8, 2006

1001 G Street, N.W. (11th Fl.)  
Washington, D.C. 20001  
(202) 824-3000

**MAY 10 2006**

UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

PATENT NO.: 6,774,439  
DATED: August 10, 2004  
INVENTOR(S): Yoshitaki FUKUZUMI *et al*

It is certified that an error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page, Title section (54):  
--and Method of Manufacturing the Same-- has been inserted at the end of the title.

Mailing Address of Sender:

Banner & Witcoff, Ltd.  
11th Floor  
1001 G Street, N.W.  
Washington, DC 20001-4597

FORM PTO 1050 (Rev.2-93)

U.S. PAT. NO 6,774,439

No. of add'l copies  
@ \$0.50 per page

☐

MAY 10 2006

UNITED STATES PATENT AND TRADEMARK OFFICE  
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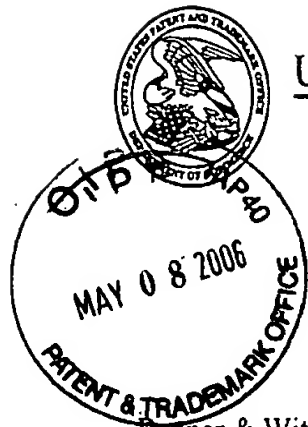
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□

**MAY 10 2006**



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

7590 03/22/2004  
Banner & Witcoff, Ltd.  
11th Floor, 1001 G Street, N.W.  
Washington, DC 20001-4597

EXAMINER

FOURSON III, GEORGE R

ART UNIT

PAPER NUMBER

2823

DATE MAILED: 03/22/2004

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/783,023	02/15/2001	Yoshiaki Fukuzumi	01701.00059	6061

TITLE OF INVENTION: SEMICONDUCTOR DEVICE USING FUSE/ANTI-FUSE SYSTEM AND METHOD OF MANUFACTURING THE SAME

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$300	\$1630	06/22/2004

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

☐ Applicant claims SMALL ENTITY status.  
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

Paper No.

Hanner & Witcoff, Ltd.  
11th Floor, 1001 G Street, N.W.  
Washington, DC 20001-4597

**COPY MAILED**

**APR 07 2006**

**OFFICE OF PETITIONS**

In re Patent No. 6,774,439	:	
Fukuzumi et al.	:	DECISION ON REQUEST FOR
Issue Date: August 10, 2004	:	CERTIFICATE OF CORRECTION
Application No. 09/783,023	:	
Filed: February 15, 2001	:	
Attorney Docket No. 01701.00059	:	
	:	

This is a decision on the "REQUEST FOR CERTIFICATE OF CORRECTION," filed April 25, 2005.

The request is **DENIED**.

Patentees are given **THIRTY (30) DAYS** from the mail date of this decision to respond. No extensions of time will be granted under § 1.136.

On August 10, 2004, application No. 09/783,023 matured into U.S. Patent No. 6,774,439, with a Patent Term Adjustment of 17 days. Patentees contend that this is in error. Patentees state that the patent should have issued with a revised patent term adjustment of 144 days, as shown in PAIR and on the Issue Notification.

Issuance of a certificate of correction under § 1.322 is permitted if an error in the patent is shown. No error in the patent has been shown. The record has been reviewed, and it is determined that the patent term adjustment indicated in the patent is correct. At the time of the mailing of the Notice of Allowance, the patent term adjustment (PTA) under 35 U.S.C. 154(b) to date was 17 days. The PALM record shows that after

the mailing of the notice of allowance, a period of adjustment of 127 days was entered for Office delay in issuing the patent. See § 1.702(b). However, prior to issuance of the patent, the PTA was corrected to remove the adjustment of 127 days, pursuant to § 1.703(b)(4). Specifically, § 1.703(b) provides that:

The period of adjustment under § 1.702(b) is the number of days, if any, in the period beginning on the day after the date that is three years after the date on which the application was filed under 35 U.S.C. 111(a) or the national stage commenced under 35 U.S.C. 371(b) or (f) in an international application and ending on the date a patent was issued, but not including the sum of the following periods:

(4) The number of days, if any, in the period beginning on the date on which a notice of appeal to the Board of Patent Appeals and Interferences was filed under 35 U.S.C. 134 and § 1.191 and ending on the date of the last decision by the Board of Patent Appeals and Interferences or by a Federal court in an appeal under 35 U.S.C. 141 or a civil action under 35 U.S.C. 145, or on the date of mailing of either an action under 35 U.S.C. 132, or a notice of allowance under 35 U.S.C. 151, whichever occurs first, if the appeal did not result in a decision by the Board of Patent Appeals and Interferences.

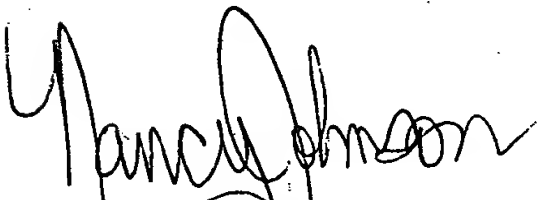
In this instance, a notice of appeal was filed on October 14, 2003. Subsequently, a notice of allowance was filed on March 22, 2004. This period constitutes 161 days. Thus, the period under 1.702(b) of 127 days could not include this 161 days. As such the net increase in PTA for the Office taking in excess of 3 years to issue the patent is zero (0) days (127 - 161). In view thereof, the patent should have issued with a revised PTA of 17 days.

Since seventeen (17) days of PTA is the correct value for PTA, no certificate of correction will be issued to change the PTA under 37 C.F.R. § 1.322.

Patentees are advised that 37 C.F.R. § 1.705(d) provides the avenue before the Office for requesting reconsideration of the patent term adjustment indicated in the patent based on a dispute of the Office's calculation of the patent term adjustment. Moreover, § 1.705(d) states that "any request for

reconsideration of the patent term adjustment indicated in the patent must be filed within two months of the date the patent issued and must comply with the requirements of paragraphs (b)(1) and (b)(2) of this section." Accordingly, to the extent that the instant request for a certificate of correction should properly be treated as a request under § 1.705(d), and the request was not filed within two months of the issue date of the patent, the request would be dismissed as untimely.

Telephone inquiries specific to this matter should be directed to the undersigned at (571) 272-3219.

A handwritten signature in black ink, appearing to read "Nancy Johnson". The signature is fluid and cursive, with a large initial "N" and a stylized "J".

Nancy Johnson  
Senior Petitions Attorney  
Office of Petitions